

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LORI GARDNER-ALFRED and JEANETTE DIAZ,

Plaintiffs,

-v-

FEDERAL RESERVE BANK OF NEW YORK,

Defendant.  
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22-cv-01585 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

On May 17, 2023, this Court granted in part and denied in part Defendant's motion for sanctions and held that Defendant was entitled to reasonable expenses and attorneys' fees incurred in connection with (1) the April 19, 2023 motion for sanctions; (2) call and email correspondence with opposing counsel from March 21 to the present date regarding Plaintiffs' discovery deficiencies; as well as (3) the February 27, 2023 motion to compel. Dkt. No. 149 at 36. The Court directed Defendant to file a fee application consistent with the opinion. *Id.* at 40.

On June 5, 2023, Defendant submitted a declaration calculating its reasonable expenses and attorneys' fees to be \$71,574. Dkt. No. 167 at 1. The Court grants this request in part and denies it in part.

Defendant billed an excessive number of hours (over 130 hours) on the April 19, 2023 motion for discovery sanctions. Although Defendant has not provided detailed time records with respect to that motion, such a large number of hours on a single motion almost certainly reflects inefficient billing practices. Accordingly, the Court shall reduce the total number of hours spent on the April 19, 2023 sanctions motion by 30%. *See Kirsch v. Fleet St., Ltd.*, 148 F.3d 149, 173 (2d Cir. 1998) ("[T]he court has discretion simply to deduct a reasonable percentage of the


number of hours claimed ‘as a practical means of trimming fat from a fee application.’” (citation omitted).

The Court grants the remainder of the request for attorneys’ fees and costs. The New York Fed has already reduced its attorney time from February 21 to February 27 by 30%, charged attorney and paralegal rates previously approved by this Court, and otherwise provided reasonable estimates of its fees. Dkt. No. 167 at 1–9.

In conclusion, the request for attorneys’ fees and costs is granted in part and denied in part. Defendant is entitled to \$53,808 in attorneys’ fees and costs. \$2,400 of those fees shall be paid by Plaintiffs’ counsel without offset to Plaintiffs. *Id.* at 1.

SO ORDERED.

Dated: July 13, 2023  
New York, New York

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LEWIS J. LIMAN  
United States District Judge